

REMARKS

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request entry of the amendment and reconsideration of the claims.

Claims 1, 4, 5, 16, 19, 20 and 25 have been amended. Claims 2, 6-15, 17, 23 and 26-28 were previously canceled. Thus claims 1, 3-5, 16, 18-22 and 24-25 are pending in the application.

Claims 1, 5, 16, 20 and 22 were rejected under 35 U.S.C. 102(b) as being anticipated by Saaski et al (US 5,585,011). Claims 1, 5, 16, 20 and 22 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Easley (US 6,599, 271) in view of Saaski et al. Claims 1, 5, 16, 20 were amended to recite a flow restrictor having an orifice having a fixed diameter. Neither Saaski, Easley, nor any of the other cited art, teach or even suggest such a structure.

Saaski only discloses the use of a flexible flexure 28 (*See, for example*, col. 13, ll. 3, col. 19, l. 46, and col. 20, ll. 23-25, 45-48, col. 21, ll. 6-16, 34-46). Saaski obtains a non-linear flow through the change in a resistance gap as a function of deflections of flexure. *Id.* This is completely unlike Applicant's invention which achieves a non-linear flow with a fixed orifice restrictor, eliminating the need for the complex arrangement of ports and flexure disclosed by Saaski. Applicant's thus respectfully submit that the claims as amended are neither anticipated by, nor rendered obvious by, Saaski.

Further, Easley discloses a device wherein flow control is effected by altering the diameter of a tube by turning a screw that presses upon the exterior of a piece of flexible tubing to depress the tubing, "thereby forming a variable orifice." Col. 9, ll. 49-50.. Alternatively, Easley discloses an embodiment using an adjustment means 101 including a tapered tip 98, which is movable within a channel 97 along threads 85. Easley states "As the tip 98 is moved upwardly . . . the liquid flow restriction in the channel 97 is reduced. Col. 11, ll. 13-18. Thus, the structures disclosed by Easley are completely unlike Applicant's claimed inventions, where flow restriction is obtained, along with non-linear flow, using a fixed diameter orifice.

Since neither Saaski nor Easley teach or even suggest using a fixed diameter orifice to provide non-linear flow as claimed by Applicants, evening combining the references as

suggested by the Examiner will not provide Applicant's claimed invention. Applicant's invention provides the benefit of non-linear flow as function of fluid pressure without resorting to complex arrangements of flexible membranes, or the need to adjust screws or other devices to alter the diameter of an orifice, as is disclosed by the cited art. Similarly, since all claims dependent from claims 1, 5, 16 and 20 include all of the limitations of their base claims, these claims too are neither anticipated nor rendered obvious by the any of the cited art, taken alone or in combination. For these reasons, Applicant respectfully submits that the claims as amended are patentable over the cited art, and request their allowance.

CONCLUSION

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request entry of the amendment and reconsideration of the claims in view of the remarks presented. In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should the Examiner have any questions concerning the above amendments and arguments, or any suggestions for further amending the claims to obtain allowance, Applicants request that the Examiner contact Applicants' attorney, John Fitzgerald, at 310-242-2667.

The Commissioner is authorized to credit any overpayment or charge any additional fees in this matter to our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

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Enclosures

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